

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 04-00113 CRB

Plaintiff,

**ORDER**

v.

YOGESHKUMAR PATEL,

Defendant.

In light of the government's representation that it will not seek a plethysmograph exam for defendant, the Court's order of October 14, 2008 is moot.

**IT IS SO ORDERED.**

Dated: Nov. 3, 2008

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE